IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.458 OF 1978

Nyalchand P. Sangani ..Petitioner.

Vs.

Phoenix Mills Ltd. ..Respondent.

...

None for the Petitioner.
Ms. Dipti Raja i/b Dhru & Co. for the Respondent.

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CORAM: **DR. D.Y. CHANDRACHUD, J.**

4th April, 2007.

P.C. :

None appears on behalf of the Petitioner. It appears from the record that Consent Terms were arrived at between the parties on 28th August, 1978. The claim of the Petitioner was to the extent of Rs.8,643.62 which is admitted by the company and monthly installments were agreed upon. Subsequently it would appear that the hearing of the petition was stayed on 12th January, 1983 and 10th August, 1983 in view of the company having been declared as a relief undertaking. Counsel appearing on behalf of the company (Phoenix Mills Ltd.) states that the company is no longer before the B.I.F.R.

Counsel appearing for the Petitioner is absent and there was no representation on behalf of the Petitioner. In these circumstances, it is reasonable to infer that the Petitioner has lost interest in the Petition. The Company Petition is accordingly dismissed for want of prosecution.